

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)	William H. Barber, et al.	Examiner	Asfand M. Sheikh
Serial No.	09/578,631	Group Art No.	3627
Filed	May 25, 2000	Confirmation No.	5757
For	Disk Dispensing and Retrieval System and Associated Methods		

August 12, 2008

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

Dear Sir:

This Information Disclosure Statement is submitted:

- ☐ under 37 CFR 1.97(b), or
(Within three months of filing national application, or date of entry of national application, or before mailing date of first office action on the merits, whichever occurs last)
- ☐ under 37 CFR 1.97(c) together with either a:
☐ Statement under 37 CFR 1.97(e), or
☐ a \$180 fee under 37 CFR 1.17(p), or
(After the CFR 1.97(b) time period, but before final action or notice of allowance, which ever occurs first)
- ☒ under 37 CFR 1.97(d) together with a:
☒ Statement under 37 CFR 1.97(e)(1) or (2), and
☒ a \$180.00 fee set forth in 37 CFR 1.17(p).
(Filed after final action, a notice of allowance, on or before payment of issue fee)

Please charge to Deposit Account 12-0600 the sum of \$180.00. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 12-0600 pursuant to 37 CFR 1.25.

- ☒ **Statement Under 37 CFR 1.97(e) –**
- ☐ That each item of information contained in the information disclosure statement was cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of information disclosure statement. See 37 CFR 1.97(e)(1).
- ☒ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the certification after making reasonable inquiry, no item of

information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

☒ Applicant(s) submit herewith Form PTO 1449 – Information Disclosure Statement together with copies of non-U.S. patents, publications or other information (if any) of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of the application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

☒ At least one reference disclosed in form PTO 1449 submitted herewith is to prosecution (i.e., an Office Action, Response, etc.) from a patent application related to the current application and/or subject matter set forth therein. This prosecution reference is provided to meet the Duty of Disclosure as specifically set forth at MPEP 2001.06 and interpreted by the Federal Circuit in McKesson Information Solutions, Inc. v. Bridge Medical, Inc., 487 F.3d 897 (Fed. Cir. 2007). A copy of each prosecution reference, or an English language translation/summary for foreign prosecution, is submitted herewith.

☐ The current application is a continuation, divisional, or continuation-in part application of at least one previous (“parent”) application in which information was provided to the Office in at least one Information Disclosure Statement (“IDS”). We provide a reminder of Office Policy as stated in MPEP §2001.06(b):


“If the application under examination is identified as a continuation, divisional, or continuation-in part of an earlier application, the examiner will consider the prior art cited in the earlier application. The examiner must indicate in the first Office action whether the prior art in a related earlier application has been reviewed. Accordingly, no separate citation of the same prior art need be made in the later application.”

Applicants request that the Examiner review the art cited in the IDS(s) in the parent application(s), and provide an indication that it has been considered in an Office Action in the present application.

It is requested that the information disclosed herein be made of record in this application.

Respectfully submitted,

LATHROP & GAGE LC


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